Dear Jeff,

9/19/81

This DJ copy of a CIA record provides the new angle I tried to interest you in when I gave you the other records I have pertaining to how the FBI convinced LBJ that the CIA was involved in the conspiracy to kill JFK. While this is incomplete, elliptical and self-serving, it does say that the FBI was wise to what Mahau was up to in 1960, even though it didn't dump the load on the CIA until what for it was a propitious moment in 1967.

I had a press conference in Washington Thursday and not unexpectedly none of your Washington Bureau were there. It was new and really definitive stuff on the FBI and its non-investigation of the JFK assassination that crossed into criminality. (The Post had Lardner covering the Cooke espionage trial.) The conference was to disclose a 113-page affidavit I filed in the oldest of all FOIA suits, the one over which Congress amended the Act in 1974 to open CIA and FBI files - a fact never reported in any paper to the best of my knowledge. I winnowed down to a mere 82 exhibits, mostly once secret FBI records and what I'd gotten on discovery and from deposing 5 FBI agents. I asked the judge to consider perjury against an FBI agent who was repeatedly perjurious and to order the FBI to duplicate two tests it admitted making and destroyed. That it made these tests was not in the papers and that it destroyed them appears not to have been much news. Or that it destroyed all the ballistics specimens it submitted to neutron activation analysis. I did accuse them of phoneying up, destroying, misrepresenting and avoiding necessary tests and I proved from their own records, withheld in this litigation but obtained in others, that there was testing pertaining to other shots the existence of which the FBI never acknowledged. Of course I've known about what is not news ever since the city editor called me aside about a good feature to tell me, "Son, Mr. Dupont wouldn't like this." But I was rather surprised and disappointed Thursday. It was major news. I've not seen the AP's story. It did cover, under adverse conditions because there was a guy there, clearly fronting for the FBI and determinedly obstructing and making a general mess of it. In retrospect I'm sorry I was concerned about the reactions of a dozen or more unknown reporters if I'd have taken care of him. I should have.

I'm not able to pay for xeroxing maybe 400 pages and giving them around but if you have any interest in reading the affidavit and/or the exhibits, Jim Lesar can lend them to you. He has an extra copy of two.

Your people now own the Hartford Courant. It had a reporter there and he did his own story. I've not seen it. He'd phoned me because, beginning with local angles they had decided to do something and I suggested this affidavit. He has the affidavits and exhibits.

The Government got the affidavit and exhibits almost two weeks ago. Not a peep since. They have to day something in court soon. I expect them to claim to have made a new and super-exhaustive search, to have been unable to find a single withheld record, and to take the position that FOIA does not require them to create new records, which is what repeating the tests would be. The press has seen to it that they and the judge can now get away with this. But what does it matter? The President is dead, isn't he, and he can't be brlught back to life.

One of the destroyed tests was to determine whether the slits, not bullet holes in the JFK shirt collar overlap, as they don't but would have to if of baliistics cause. They were made by a scalpel. The FBI agent who admitted the making of the test at his request (on deposition we learned this) also testified that a written report on it was filed. ...I've also found a cover page withheld from the Warren Commission on the testing of the curbstone that was hit by a missed bullet. That agent said that where there had been a nick there wasn't one any more. It was patched but the FBI, knowing this, prteneded otherwise, tested the oacth, and then destroyed the spectrographic plate, claiming to save space- the thickness of a photograph plate. Naturally none of this, with before and after pictures, wasn't news. Best wishes,